

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated December 28, 2007 which has been reviewed and carefully considered. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-17 remain in the Application. Claims 1, 7, 11 and 16 are independent claims.

In the Office Action, the Examiner noted that the header of the Amendment filed on October 9, 2007 included the incorrect serial number in the header. Applicant greatfully acknowledges this notification, where the header of the current amendment includes the correct serial number of 10/538,567.

In the Office Action, claim 17 is rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite. Without agreeing with the Examiner, and in the interest of advancing prosecution, claim 17 has been amended to remove the alleged informality noted by the Examiner. It is respectfully submitted that the rejection of claim 17 has been overcome and an indication as such is

respectfully requested.

In the Office Action, claims 1-6, 8 and 10-16 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-5, 7, 11-12 and 14-19 of U.S. Patent No. 6,919,679 ('679) in view of U.S. Patent No. 4,451,757 (Lagos). The Examiner indicated that a terminal disclaimer may be used to overcome this rejection. This rejection is respectfully traversed, particularly in view of the present amendments to the claims where features of the allowable claim 7 have been included in independent claims 1, 11 and 16. Accordingly, Applicant respectfully requests that this ground for rejection be withdrawn.

In the Office Action, the Examiner indicated that claim 7 would be allowable if rewritten in independent form. Applicant gratefully acknowledges the indication that claim 7 contains patentable subject matter. By means of the present amendment, claim 7 has been rewritten in independent form. Further, independent claims 1, 11 and 16 have been amended to include the features of allowable claim 7 without including certain features of intervening claim 3 as they are believed to be not necessary for

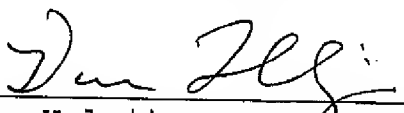
patentability.

Accordingly, it is respectfully requested that independent claims 1, 7, 11 and 16 be allowed. In addition, it is respectfully submitted that claims 2-6, 8-10, 12-15 and 17 should also be allowed at least based on their dependence from independent claims 1, 11 and 16 as well as their individually patentable elements.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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